# CH \$40.00

# TRADEMARK ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

# **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Motorola, Inc.		09/27/2007	CORPORATION: DELAWARE

# **RECEIVING PARTY DATA**

Name:	Emerson Network Power - Embedded Computing, Inc.
Street Address:	8310 Excelsior Drive
City:	Madison
State/Country:	WISCONSIN
Postal Code:	53717
Entity Type:	CORPORATION: WISCONSIN

#### PROPERTY NUMBERS Total: 1

Property Type	Number	Word Mark
Registration Number:	2745701	STACKWARE

# **CORRESPONDENCE DATA**

Fax Number: (248)641-0270

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 2486411600

Email: docketingtm@hdp.com

Correspondent Name: Jessica S. Sachs

Address Line 1: Harness, Dickey & Pierce, P.L.C.

Address Line 2: 5445 Corporate Drive, Suite 200

Address Line 4: Troy, MICHIGAN 48098

ATTORNEY DOCKET NUMBER:	1400B-500004
NAME OF SUBMITTER:	Jessica S. Sachs
Signature:	/jss/
Date:	08/26/2009

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Total Attachments: 3

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#### **ASSIGNMENT**

This Assignment Agreement (this "Assignment"), effective as of the date of the last signature hereto, is made by and between Motorola, Inc., a Delaware corporation having a principal place of business at 1303 E. Algonquin Road, Schaumburg, IL 60196 (the "Assignor"), and Emerson Network Power - Embedded Computing, Inc., a Wisconsin corporation having a principal place of business at 8310 Excelsior Drive, Madison WI 53717 (the "Assignee").

#### RECITALS

WHEREAS, pursuant to a certain Asset Purchase Agreement, dated September 27, 2007, by and between Motorola, Inc., Emerson Network Power - Embedded Computing, Inc. and Emerson Electric Co. (the "Acquisition Agreement") and a certain Intellectual Property Matters Agreement, dated September 27, 2007, by and between Motorola, Inc. and Emerson Network Power - Embedded Computing, Inc. (the "IP Agreement"), Assignor assigned to Assignee certain assets of the Assignor's Embedded Communications and Computing business;

WHEREAS, Assignee now desires to acquire the trademark registrations set forth on Appendix A (attached hereto), which registrations were associated with the former Force Computers GmbH portion of Assignor's Embedded Communications and Computing business;

WHEREAS, Assignor is willing to assign such trademark registrations and the Assignee is will to accept such assignment on the terms and conditions set forth below.

# **AGREEMENT**

NOW, THEREFORE, in consideration of the foregoing recitals, One US-Dollar (US \$1.00), and other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge the parties agree as follows:

Assignor hereby assigns to Assignee whatever right, title and interest it may now have, if any, in and to each of the trademark registrations listed on Appendix A including any and all rights provided by international conventions and treaties, and any goodwill associated with the subject trademarks.

Assignce acknowledges and agrees that the foregoing assignment is made without any representation or warranty from the Assignor and accepts the assignment on such basis.

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[Signature Page Follows]

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IN WITNESS WHEREOF, the parties have duly executed and delivered this Assignment on the date(s) written below.

MOTOROLA, INC.	EMERSON NETWORK POWER - EMBEDDED COMPUTING, INC.
Name (print): ARCH M. Ahern  Title: Senior Counse Tradewarks  Date: 24 October, 2008	Name (print): Shlomo Pri-Tal  Title: Vice President, Chief Technology Officer  Date: 22 September 2008
STATE OF ILLINOIS) COUNTY OF COOK)  Subscribed and sworn to before me this  24th day of August, 2008,  Notary Public	STATE OF) COUNTY OF) Subscribed and sworn to before me this day of August, 2008,
Notary Public  My Commission Expires:  8-27-2009	Notary Public  My Commission Expires:
OFFICIAL SEAL ROBINETTE SZCZEPANSKI NOTARY PUBLIC, STATE OF ILLIMOIS My Commission Expires Aug. 27, 2009	

Signature Page to STACKWARE Trademark Assignment Agreement Page 2 of 3

# APPENDIX A

to

# ASSIGNMENT AGREEMENT

by and between

Motorola, Inc. and Emerson Network Power - Embedded Computing, Inc.

MARK	REGISTRATION NO.	COUNTRY
STACKWARE	2745701	United States
STACKWARE	1576289	Community Trademark

**RECORDED: 08/26/2009** 

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